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First Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

New York, 7-11 July 2003

Summary record of the 10th meeting
Held at Headquarters, New York, on Friday, 11 July 2003, at 3 p.m.

Chairperson: Ms. Inoguchi ..... (Japan)

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The meeting was called to order at 3.10 p.m.

Agenda item 12: Consideration of implementation, international cooperation and assistance (thematic discussion)

Agenda item 13: General exchange of views (thematic discussion)

1. **Mr. Muller** (Austria) said that he supported the statement made by Italy on behalf of the European Union. In the new manual entitled *Understanding Human Rights*, he added, account was taken especially of the relationship between human rights and human security, especially with regard to small arms and light weapons. The manual had been prepared by the European Training and Research Centre for Human Rights and Democracy at the request of the Human Security Network on the initiative of the Minister for Foreign Affairs of Austria, Ms. Benita Ferrero-Waldner, Chairperson of the Human Security Network in 2002 and 2003. The purpose of the manual, to which experts from 10 countries had contributed, was to support human rights education initiatives throughout the world. The 13 countries members of the Human Security Network had expressed their approval of the manual at the Network's Ministerial Meeting held in Graz, Austria, from 8 to 10 May 2003. The manual was not considered a finished work; it could continue to be expanded and adapted by educators, students and scholars through the introduction of relevant modules to suit their environments and social needs. The speaker exhorted delegations, international organizations and non-governmental organizations to make use of that instrument in implementing the Programme of Action.

2. **Mr. McDougall** (Canada) pointed out that the question of small arms and light weapons was multifaceted, mentioning in particular certain fundamental aspects related to demand, development, women and children. The national, regional and intergovernmental presentations made on the occasion of the launching of the Human Security Network's publication entitled *Putting People First: Human Security Perspectives on the Availability and Misuse of Small Arms* clearly showed the need to address the fundamental causes of the demand for such weapons. Initiatives to reduce their availability and prevent their wrongful use would be effective only if Governments and civil society paid greater attention to the social, economic and security conditions that led to their acquisition and illegal use.

3. The Programme of Action did not include commitments to lowering demand, but did refer to four general aspects related to that goal: development, the promotion of a culture of peace, conflict resolution and security sector reform. The general references in the Programme of Action to the promotion of development and a culture of peace should be backed up with more concrete measures to reduce demand and counteract the culture of violence. Thanks to the international studies and consultations already carried out, by 2006 States should have at their disposal a list of demand-decreasing measures that might be incorporated into a strengthened Programme of Action.

4. The wide availability and wrongful use of small arms were unquestionably detrimental to economic progress and created a climate of fear and instability that destroyed the livelihood of communities, discouraged investment, hampered economic growth and ultimately prevented the achievement of the Millennium Development Goals in many parts of the world.

5. At the national level, collaboration among the governmental departments of all ministries was vital for reducing those adverse consequences. At the international level, especially in the countries most severely affected, international development organizations and donors could play a fundamental role by integrating arms reduction and management programmes into development programmes. International financial institutions could also include components relating to small arms in their poverty-reduction strategies. Thus, donor cooperation and coordination were crucial for combining the issue of small arms with development assistance, including poverty-reducing measures. Greater participation of donors in small-arms issues might be achieved by means of networks existing, for example, within the Development Assistance Committee of the Organization for Economic Cooperation and Development (OECD) and in other institutions.

6. With regard to women and children, it should be recalled that at the first International Conference on War-Affected Children, held in Canada in 2000, particular stress had been laid on the importance of not selling arms to those who attacked children, whether Governments or non-State armed forces. The

international community must heed that call and not supply weapons to parties to armed conflicts that attacked children or used them as soldiers.

7. To protect children against armed violence, a balance must be reached between controlling small-arms supply and reducing the related demand and young persons must be given means of livelihood and opportunities for education so as to prevent them from joining armed groups in order to survive.

8. The ease with which small arms can be obtained also adversely affected the safety of women, both in and out of conflict situations. Women faced physical intimidation, mistreatment and violence, with a resulting decrease in their ability to maintain their families. All States, civil society and intergovernmental organizations should devote attention to the effects of small arms on women and undertake national, regional and international initiatives to reduce the adverse effects of violence caused by small arms in that segment of the population.

9. It was important, however, not to consider women as passive victims, inasmuch as they could provide extremely valuable services in the reduction of small arms if Member States accorded priority to training and educating them and promoting their leadership in consolidating peace.

10. **Mr. W. V. Garcia** (Philippines) said that in his country security networks were being created to protect children against the adverse effects of the proliferation of illegal small arms and light weapons. The national legal framework protected children in armed conflicts, prohibited their taking part in conflicts as soldiers, guides or messengers and stipulated that children should be given priority in evacuations.

11. As part of the long-term strategy for coping with the humanitarian cost and the consequences of the proliferation of small arms, the Philippines was carrying out a programme for children in armed conflicts that stressed prevention through work programmes, health and nutrition programmes, food security, basic infrastructure and participation in capacity-building. Activities for the promotion, mobilization, rehabilitation and reintegration of children affected by armed conflicts were also being carried out.

12. **Mr. Broucher** (United Kingdom of Great Britain and Northern Ireland) said he supported the statement by the representative of Canada. Women and children were indeed innocent victims of the wrongful use of small arms and light weapons, but women were not only victims. They also had a fundamental leadership role to play in the consolidation of peace and the disarming of their communities.

13. **Ms. Nduku** (Democratic Republic of the Congo) said that, despite the repeated emphasis on the fact that children were the prime victims of armed conflicts and the proliferation of light weapons, the reality was that there were more and more child combatants taking part in the commission of atrocities and the violation of human rights. In order for those children to be reintegrated into society and to enjoy their fundamental rights, the existence of long-term psychological evaluation and support programmes was essential.

14. The Democratic Republic of the Congo had created, by Decree-Law No. 066 of 9 June 2000, on the demobilization and reintegration of vulnerable combatant groups, a demobilization and reintegration centre to cope with that problem.

15. Her delegation supported the statement by the representative of Sierra Leone concerning women and elderly persons.

16. **Mr. Spirovski** (Former Yugoslav Republic of Macedonia) said that his country had undertaken to reduce the high availability of illegal weapons through programmes for their collection and destruction and public consciousness-raising. Parliament had recently adopted an act on the voluntary surrender and legalization of arms that granted amnesty to all those who voluntarily turned over their weapons in response to a public call. The national coordination body in charge of enforcing the act was composed of members of the competent ministries and of Parliament, autonomous local authorities, civil associations and non-governmental organizations, which thus guaranteed transparency and the promotion of associations at all levels.

17. The principal means of raising public awareness were the promotion of dialogue and community participation, the organization of large-scale public acts of destruction and the selection and training of local facilitators in both large cities and small towns.

18. **Mr. Zinsou** (Benin) pointed out that the proliferation of light weapons and of illicit trade in them was a formidable obstacle to sustainable human development and one of the factors that contributed to crime. The political forces in vulnerable countries had a great responsibility in that regard and must spare no effort to preserve and consolidate the national consensus. His delegation supported the proposal by the representative of Senegal that links should be established between the fight against poverty and the fight against light weapons and emphasized, in that regard, the importance of the documents of the anti-poverty and debt-relief strategy for improving living conditions in vulnerable segments of society, especially women, children and the elderly. His delegation considered it essential to renounce violence as a way of bringing political change and believed that political violence could be eliminated by means of a culture of peace based primarily on education.

19. **Ms. Paz Campos** (Mexico) recalled that in 2001 a group of experts appointed by the Secretary-General had prepared a study on disarmament and non-proliferation education, presented to the General Assembly at its fifty-seventh session. In the introduction to that report, it was stated that at the start of the twenty-first century there was a pressing need to combat a culture of violence and that concern had heightened over the global threat of the excessive and destabilizing proliferation of conventional weapons, especially small arms and light weapons.

20. Also emphasized was the need for education and training for various groups, especially women, as the main educators of their families and communities, and the importance of incorporating disarmament and non-proliferation education as an essential component of activities for the post-conflict consolidation of peace.

21. The General Assembly, in its resolution 57/60, had conveyed the recommendations of the study on disarmament and non-proliferation education for implementation, as appropriate, by Member States, the United Nations and other international organizations, civil society, non-governmental organizations and the media.

22. It was now the responsibility of all to undertake actions designed to promote further public consciousness-raising regarding the dangers of the proliferation of small arms and light weapons, recognizing the important role played in that regard by the natural leaders of the affected populations: the elderly, mothers and teachers.

23. **The Chairperson** proposed that the meeting should be suspended to enable delegations to examine the Chairperson's Summary, which had just been distributed.

The meeting was suspended at 3.40 p.m. and resumed at 4.30 p.m.

24. **Mr. Udedibia** (Nigeria) reported that at the African Union Summit, held in Maputo, Mozambique, on 10 July 2003, Mr. Alpha Oumar Konaré had been elected Chairperson of the Commission of the African Union. He recalled the work carried out over the years by Mr. Konaré to eradicate the illicit proliferation of small arms and light weapons. In that connection he mentioned the importance of the 2000 Bamako Declaration, the moratorium declared by the Economic Community of West African States and Security Council resolution 1467 (2003) relating to the problem of illicit trade in small arms.

Agenda item 16: Consideration and adoption of the report of the Meeting (A/CONF.192/BMS/2003/L.1/Rev.1)

25. **The Chairperson** drew attention to the report of the Meeting (A/CONF.192/BMS/2003/1) and proposed that it should be adopted page by page.

26. *Page 1 of the report was adopted.*

27. **Mr. Rachmianto** (Indonesia) drew the attention to an erratum in the English text of paragraph 5 of the report, where "massage" should be "message".

28. *The corrected paragraph 5 and pages 2, 3 and 4 of the report were adopted.*

29. **Mr. de Alba** (Mexico) requested that, in paragraph 16 of the report, where it said that the report was the sole responsibility of the Chairperson of the Meeting, it should be added that that caveat did not affect national positions of delegations. In his opinion, the summary included points that were not relevant, such as the reference in paragraph 60 to migration connected with terrorism; many of the proposals made were not duly reflected, including some made by his own delegation; and all matters on which no consensus had been reached in 2001 had been omitted. That should not establish a precedent for the next follow-up meeting of the Programme of Action. He proposed that

a new paragraph should be added stating that, in the opinion of some delegations, the summary should include all matters considered at the first biennial meeting, irrespective of whether or not consensus had been reached concerning them. He further proposed that the final section of the Chairperson's summary, relating to suggestions for consideration in the future, should be totally eliminated.

30. **Mr. Sood** (India) said that in paragraph 11, which related to documentation, there was no mention of the group's report distributed as document CRP.1. He felt there were contradictions in the introduction to the Chairperson's summary and proposed that the first seven paragraphs should be eliminated and that the summary should begin with the section on the implementation of the Programme of Action. He added that the name of the group of experts referred to in paragraph 14 was incorrect and should be corrected. With regard to paragraph 16, he endorsed Mexico's proposal and considered that it should be added that many delegations had positions that were not reflected in the Chairperson's summary. Regarding paragraph 17, he proposed that the list, rather than being included as annex II, should be published as a session document under a CRP symbol and appear as such in paragraph 11 (f).

31. **Mr. Rowe** (Sierra Leone), speaking on a point of order, asked whether it was the appropriate time to present the problems expressed by the delegations of Mexico and India. He felt that observations of that nature might be made subsequently.

32. **The Chairperson** asked whether there was agreement concerning the adoption of the Mexican proposal to amend paragraph 16 of the report.

33. **Mr. Sood** (India) requested clarification of the proposal.

34. **Mr. de Alba** (Mexico) said that following the words "the Chairperson of the Meeting", it should be stated that national positions were not affected. He also recalled his proposal that, in the same paragraph, the opinion of some delegations that the summary should include all the matters dealt with during the Biennial Conference should be added, and proposed the following wording: "In the opinion of some delegations, the summary should include all the issues addressed at the Conference, including those concerning which the Member States had not reached a consensus at the 2001 Conference."

35. **Mr. Durrani** (Pakistan) proposed a different wording for paragraph 16, namely: "This summary, without prejudice to national positions of Member States, ..." He agreed with the opinions expressed by the delegations of Mexico and India and requested clarification of the meaning of the expression "the fundamental causes of illicit trade" appearing in paragraph 75 (d) of the Chairperson's summary.

36. **The Chairperson** said that, if there were no objections, she would take it that the amendment to paragraph 16 of the report was adopted.

37. *It was so decided.*

38. **Mr. Sood** (India) proposed that in the second sentence the expression "is the sole responsibility of the Chairperson" should be replaced by "is the responsibility solely of the Chairperson". He also joined the representative of Mexico in proposing that a sentence should be added at the end of the second sentence of that paragraph, reading as follows: "Many delegations consider that the Chairperson's summary should have included all the issues debated at the Meeting, including those concerning which there was no consensus in 2001." Indeed, the 2001 Programme of Action was a compromise text that had been adopted in the absence of agreement on a number of issues, many of which had been raised anew during the current Meeting. Though it might be that in the Chairperson's summary those aspects could not be taken up, the inclusion of the proposed clause would avoid the need for a detailed debate of the summary.

39. **Mr. Durrani** (Pakistan) said that the phrase "without prejudice to the stands taken by Member States" covered all possibilities and that he did not feel that any other formulation would be more suitable.

40. **Mr. Rowe** (Sierra Leone) said that, although he appreciated the issue raised by the representative of India, he considered the proposed wording as having a negative tone that might give the impression that at the Meeting held there had been some controversy, which was not the case. He felt it would suffice to say "without prejudice to the national reports and the positions expressed at the Meeting".

41. **Mr. de Alba** (Mexico) said that he agreed with the wording proposed by the delegation of India, but would be willing to try to find a more positive expression, keeping in mind the observations of the delegations of Pakistan and Sierra Leone. The phrase

"without prejudice to national positions" seemed insufficient, inasmuch as the Chairperson confined herself in fact to gathering together points of view, which might be those of a limited number of States but in the case in hand were actually those of the vast majority. It did not seem acceptable to omit mentioning the subjects taken up on the floor of the conference room, especially in view of the fact that on many aspects there was no consensus.

42. **The Chairperson** said that in her opinion the document ought to reflect the spirit of what had taken place over the previous five days, during which, she felt, a clear attitude of compromise was shown by all those present. The secretariat had drafted the report of the Meeting in that spirit. A significant amendment had been made by including the phrase "without prejudice to national positions" and she wished to know whether she might take it that page 5 of the report of the Meeting was adopted with that amendment.

43. **Mr. Sood** (India) said that it was not merely a question of the report of the Meeting, since the report included as an annex the Chairperson's summary. His delegation was not suggesting that the summary should be eliminated, nor did it mean to question what should or should not appear in the summary. For that reason he proposed once again that a sentence should be added at the end of the second sentence in paragraph 16 of the report, with the following text: "Many delegations consider that the Chairperson's summary should have included all the issues debated at the Meeting." Given that nearly half the delegations felt that there were questions that were not adequately reflected in the Chairperson's summary, with such a sentence all positions would be satisfied.

44. **Mr. Rowe** (Sierra Leone) said that he still found that there was a negative tone in the new wording proposed by India. An alternative proposal might be: "At the tenth meeting the Chairperson presented a summary of the discussion of a number of questions raised during the Meeting." If no agreement was reached, he suggested a 10-minute recess for the purpose of finding a solution.

45. **The Chairperson** said that the document had been agreed on by all the members of the Bureau.

46. **Mr. McDougall** (Canada) said that he thought that a simple solution that would satisfy all concerned would be to add at the end of the already amended sentence the expression "and does not purport to be exhaustive".

47. **Mr. de Alba** (Mexico) said that the Bureau did not have the authority, at least with respect to the region of Latin America and the Caribbean, to compromise Mexico's position. The function of the Bureau was to facilitate the process. He supported the proposal of the delegation of Sierra Leone, which took into account Mexico's concern and perhaps also that of India and those of other delegations which, though they had not taken part in the debate, shared the same concerns. He did not consider the Canadian proposal acceptable.

The meeting was suspended at 5.20 p.m. and resumed at 5.50 p.m.

48. **The Chairperson** proposed the following new wording for the second sentence in paragraph 16: "The summary, without prejudice to national positions of Member States, is exclusively the responsibility of the Chairperson of the Biennial Meeting and does not cover all issues discussed." She announced that, on her sole responsibility, paragraph 75 of the Chairperson's summary would be eliminated.

49. *Paragraph 16 of the report of the Meeting was adopted.*

50. **The Chairperson** said that paragraph 17 of the report of the Meeting, in which reference was made to the list of regional and international initiatives, would be eliminated, and that annex II to the report would be included in a session document (under a CRP symbol). The change would be reflected in section E of the report, relating to documentation. Paragraph 18 of the report, which would then become paragraph 17, would maintain its current wording.

51. **Mr. Gala López** (Cuba) said that his delegation, which had submitted a number of proposals to the Bureau in writing, comprising aspects included in the wording finally adopted, supported that wording. Concerning paragraph 67 of the Chairperson's summary, in which satisfaction was expressed regarding the initiative to be carried out by the Organization of American States, he wished to note for the record that his delegation had not addressed that theme, inasmuch as it had not participated in the process in question. Regarding paragraph 12 of the report, which had been adopted when Cuba was not present in the room, he pointed out that the fact that

Cuba had made a statement in exercise of its right of reply was not reflected in the paragraph.

52. **The Chairperson**, after restating the modification and elimination, respectively, of paragraphs 16 and 17 of the report of the Meeting, asked whether one might take it that paragraph 18 was adopted.

53. **Mr. McDougall** (Canada) said that he supported the decisions taken with regard to paragraphs 16 and 17 of the report as well as the Chairperson's summary. He regretted, however, that the elimination of paragraph 75 of the Chairperson's summary had meant the elimination of the references to export-control rules, not mentioned elsewhere, and to the importance of civil society. In the current version of the Chairperson's summary, in fact, no reference whatsoever was made to the declarations made by non-governmental organizations. The Chairperson's summary to be drafted in two years should include that aspect as well as a reference to the role of civil society both in collaboration in the field and in the deliberations of States concerning the Programme of Action.

54. **Ms. Puertas de Rodríguez** (Peru) requested that it should be stated in the record that the communication of the Group of Latin American and Caribbean States contained no decision relating to the positions of the Group's member countries.

55. **Ms. Joseph-Harris** (Trinidad and Tobago) drew attention to paragraph 21 of the Chairperson's summary and, with a view to providing a clearer perspective of the context to which the Convention related, suggested that the following should be added: "The Convention, when considered in the context of the multilateral evaluation process of the Organization of American States (OAS), provides an autonomous mechanism for supervising the performance of all member States in implementing the provisions of the Convention as well as options for technical and other support. This is especially important to the smaller States of the Caribbean subregion."

56. **The Chairperson** said she took it that, with the adoption of paragraph 18 and the elimination of paragraph 17, the draft report in its totality was adopted.

57. *The report was adopted.*

58. **Mr. Cappagli** (Argentina) said that a number of initiatives adopted within the framework of the Southern Cone Common Market (MERCOSUR) and OAS had been transmitted by facsimile through the regional representation of Peru and Ecuador to serve as objective data on already adopted initiatives.

59. **Mr. Gala López** (Cuba) asked whether the final sentence of paragraph 12 would be amended in accordance with the remark made by his delegation.

60. **The Chairperson** said the remark would be duly reflected.

The meeting rose at 6.10 p.m.